

EXECUTIVE SUMMARY

ES.1 BACKGROUND AND PROJECT OVERVIEW

This Final Environmental Impact Statement (EIS) and Proposed Plan Amendment (PA) analyzes the impacts of EDF Renewable Energy's¹ (EDF or Applicant) Desert Harvest Solar Project (DHSP) and incorporates public comments submitted by agencies, groups, tribes, individuals, and the project Applicant on the Draft EIS. In compliance with the National Environmental Policy Act (NEPA), the Bureau of Land Management (BLM) prepared this EIS to inform the public about the Proposed Action and to meet the needs of federal, state, and local permitting agencies in considering the project.

The Applicant filed for a right-of-way (ROW) authorization request with the BLM to construct, operate, maintain, and decommission a 1,208-acre, 150-megawatt (MW) solar energy project and 220-kilovolt (kV) generation-intertie transmission line (gen-tie line). Associated with its consideration of the project, the BLM is also proposing to amend the California Desert Conservation Area (CDCA) Plan (BLM 1980), as amended (CDCA Plan) to find the project site suitable for solar electricity generation and to allow a high-voltage transmission line outside of a federally designated utility corridor.

Because the County of Riverside has the authority to issue local permits for the proposed gen-tie line alternatives, this EIS has been prepared to a standard that complies with all requirements of the California Environmental Quality Act (CEQA) under Section 15221 of the CEQA Guidelines. CEQA Responsible Agencies and other readers interested in the CEQA compliance components of this EIS are directed to the CEQA Readers' Guide in Section 1.8.

The regional context for the proposed DHSP is shown in Figure 1-1 (see Appendix A for all figures). The Applicant proposes to construct, operate, maintain, and decommission the DHSP in Riverside County, California, near the unincorporated community of Desert Center. This Final EIS and Proposed Plan Amendment presents the potential effects of the Proposed Action and alternatives on BLM-administered lands and other affected lands and resources. It also discusses mitigation measures that, if adopted, would avoid, minimize, or mitigate the adverse environmental impacts identified.

The proposed solar facility would consist of several components. A main generation area would include photovoltaic (PV) arrays, a switchyard, inverters, overhead lines, and access corridors. The solar facility would also include an operations and maintenance facility, an on-site substation and switchgear. Site security, fencing, and lighting will protect the facility.

The proposed 220-kV gen-tie line would transmit the electricity generated to the regional transmission system through the Red Bluff Substation, where the power from the proposed solar facility would be stepped up and fed into Southern California Edison's existing Devers Palo Verde No. 1 high-voltage transmission line.

For the solar facility and gen-tie line, the following alternatives are considered in this EIS:

¹ In the Draft EIS, enXco Development Corporation (enXco) was identified as the applicant. Since the publication of the Draft EIS, enXco's company name has changed to EDF Renewable Energy (EDF). This new company name is used in this Final EIS.

- A No Action alternative and two No Project Alternatives. Of the two No Project Alternatives, one would amend the CDCA Plan to find the site suitable for solar energy, and the other would amend the CDCA plan to find the site unsuitable for solar energy.
- Four solar project configurations – Proposed Solar Project, Solar Project Excluding the Palen-Ford Wildlife Habitat Management Area (WHMA), Reduced Footprint Solar Project, and High-Profile Reduced Footprint Solar Project; and
- Four gen-tie line configurations – Proposed Gen-Tie Line (Shared Towers), Separate Transmission Towers within Same ROW, Cross-Valley Alignment, and New Cross-Valley Alignment.

The solar facility alternatives would be located exclusively on BLM-administered land. The gen-tie alternatives would be located on a combination of BLM-administered land, land owned by the Metropolitan Water District of Southern California, land owned by the County of Riverside, and private land.

ES.2 LEAD AND COOPERATING AGENCY ROLES AND RESPONSIBILITIES

Bureau of Land Management

The BLM is the Lead Agency under NEPA. As part of the Agency's responsibilities under Title V of the Federal Land Policy and Management Act (FLPMA; 43 U.S.C. 1761), the BLM must respond to the application for a ROW grant to construct, operate, maintain, and decommission a the DHSP on public lands in compliance with FLPMA, BLM ROW regulations, and other applicable federal laws. The BLM will decide whether to approve, approve with modification, or deny issuance of a ROW grant to the Applicant for the DHSP. The BLM may include any terms, conditions, and stipulations it determines to be in the public interest, and may modify the proposed use or location of proposed facilities (43 CFR 2805.10(a)(1)). Because the BLM's decision is considered a federal action with the potential for significant environmental impacts, NEPA requires the preparation of an EIS to evaluate the impacts of the Proposed Action (granting the ROW as in the application), alternative actions, and no action. In connection with its consideration of the project, the BLM is also considering amendments to the CDCA Plan. If the BLM decides to approve the issuance of a ROW grant for the project, the BLM will also amend the CDCA Plan as required in connection with its decision on the project.

County of Riverside

The County of Riverside is the Lead Agency under CEQA and a Cooperating Agency under NEPA. The County of Riverside has discretionary authority to issue a Public Use Permit for any gen-tie line alternative, as each crosses private lands subject to County jurisdiction. The County of Riverside would also require the Applicant to obtain an encroachment permit and a franchise route agreement. The County of Riverside has actively engaged in EIS planning and reviewing documentation relating to the proposed project and alternatives. Pursuant to CEQA Guidelines Section 15221, the County of Riverside intends to determine whether this EIS complies with the requirements of CEQA, and if so, to use this EIS to provide the environmental review required for its decision regarding the approval of a gen-tie action alternative under CEQA. The County of Riverside and BLM have signed a memorandum of understanding that defines their relationship and identifies the County as a Cooperating Agency. The MOU was fully executed on June 5, 2012. The MOU is included as Appendix L of this EIS.

National Park Service

The National Park Service is a Cooperating Agency under NEPA. The National Park Service has actively engaged in EIS planning and reviewing documentation relating to the proposed project and alternatives. The National Park Service has no decision-making authority over the proposed project; however, the National Park Service has an interest in ensuring that the effects of development projects on National Parks are minimized. The National Park Service and BLM have signed a memorandum of understanding that defines their relationship and identifies the National Park Service as a Cooperating Agency. On April 20, 2011, BLM met with NPS representatives in Palm Springs, CA to discuss the project and the Cooperating Agency relationship. BLM met with NPS again on September 13, 2011 to discuss incorporation of NPS comments on the administrative draft of the EIS. Comments were received from NPS staff and incorporated into the Draft EIS. The BLM again met with NPS representatives in Joshua Tree, California on June 20, 2012 to discuss the Park's preliminary response to the Draft EIS. The Park also submitted formal written comments, which are presented in Appendix M of this Final EIS (see comment letter A004). Comments from NPS staff were accepted and are incorporated into this Final EIS.

ES.3 NATIVE AMERICAN GOVERNMENT TO GOVERNMENT CONSULTATION AND SECTION 106 CONSULTATION

Native American Government to Government Consultation

The BLM is responsible for consultation with Native American tribes for the purpose of identifying sacred sites and other places of traditional religious and cultural importance that have the potential to be impacted by the Proposed Action, to develop measures which avoid, minimize or mitigation such effects, and to incorporate appropriate mitigation measures into project approvals that address the potential discovery of such sites during construction.

The BLM initiated formal, government-to-government tribal consultation at the earliest stages of project planning by letter on October 4, 2011 (Kalish 2011). The Palm Springs-South Coast Field Office of the BLM sent letters to 15 Indian tribes, including those identified by the NAHC. The letter requested assistance in identifying any issues or concerns that a tribe might have about the project, including identifying places of religious and cultural significance that might be affected by the proposed project. The letter further requested that each Tribal Government identify those tribal representatives who have been designated to consult with BLM on this project.

Since that time, the BLM has followed up with Tribal governments through additional correspondence, communication, and provision of other project information.

The fifteen tribes currently being consulted with on the DHSP are: Agua Caliente Band of Cahuilla Indians, Augustine Band of Cahuilla Mission Indians, Cabazon Band of Mission Indians, Cahuilla Band of Mission Indians, Chemehuevi Indian Tribe, Cocopah Indian Tribe, Colorado River Indian Tribes, Fort Mojave Indian Tribe, Fort Yuma Quechan Indian Tribe, Morongo Band of Mission Indians, Ramona Band of Mission Indians, San Manuel Band of Mission Indians, Soboba Band of Luiseno Indians, Torres-Martinez Desert Cahuilla Indians, and the Twentynine Palms Band of Mission Indians.

On May 9, 2012, BLM and Native American Tribes conducted a field visit to the project site. Representatives from the Augustine Band of Mission Indians and the Colorado River Indian

Tribes attended. Tribal representatives expressed the concerns about the geomorphological nature of the project site, and the possibility of subsurface archaeological materials. The archaeological report was approved by the BLM in May 2012. A letter was sent to the Tribes on June 4, 2012 informing them of the availability of the report. Agua Caliente Band of Mission Indians, Colorado River Indian Tribes, and Fort Yuma Quechan Tribe requested a copy of the report. Copies were sent on August 2, 2012, June 11, 2012, and October 22, 2012 respectively. The project was discussed with the Fort Yuma Quechan Tribe on September 26, 2012.

Additional documentation regarding that consultation is provided in Appendix I. Consultation with Indian Tribes, and discussions with Tribal organizations and individuals, has revealed concern about the importance and sensitivity of cultural resources near the DHSP project site, concern about cumulative effects to cultural resources and landscapes.

As the environmental review and Section 106 consultation processes proceed for the DHSP, the BLM will continue to consult with Indian tribes regarding issues or concerns with the project, and on properties to which they attach cultural or religious significance.

Section 106 Consultation and Memorandum of Agreement

The Native American Heritage Commission (NAHC) maintains two databases to assist cultural resources specialists in identifying cultural resources of concern to California Native Americans, referred to here as ethnographic resources. The NAHC Sacred Lands database has records for places and objects that Native Americans consider sacred or otherwise important, such as cemeteries and gathering places for traditional foods and materials. The NAHC Contacts database has the names and contact information for individuals, representing a group or themselves, who have expressed an interest in being contacted about development projects in specified areas. The applicant requests information from the NAHC on the presence of sacred lands in the vicinity of a proposed project and also request a list of Native Americans to whom inquiries would be made to identify both additional cultural resources and any concerns the Native Americans may have about a proposed project.

Chambers Group contacted the Native American Heritage Commission (NAHC) in October of 2011 to obtain information on known cultural resources and traditional cultural properties and to learn of any concerns Native Americans may have about the DHSP. The NAHC responded on October 5, 2011 with the information that the Sacred Lands File (SLF) database failed to indicate the presence of Native American cultural resources within the DHSP Area of Potential Effects. The NAHC also forwarded a list of Native American groups or individuals with traditional ties to the project area. This list can be found in Appendix I.

On October 10, 2012, BLM held a meeting of the consulting parties for the Section 106 process for the DHSP. Representatives from the Agua Caliente Band of Cahuilla Indians, Augustine Band of Cahuilla Indians, Cabazon Band of Mission Indians, Colorado River Indian Tribes, Fort Mojave Indian Tribe, San Manuel Band of Mission Indians, Soboba Band of Luiseno Indians, and Twenty-nine Palms Band of Mission Indians attended the meeting. The other consulting parties in attendance at the October 10 meeting included the Applicant and the County of Riverside.

A Memorandum of Agreement (MOA) is being developed for this project as a part of the Section 106 process. The MOA would be among the BLM, SHPO, EDF Renewables, and interested

Indian tribes. The Advisory Council on Historic Preservation would be invited to participate. The MOA will include a list of historic properties located within the APE, require that a Historic Property Treatment Plan be developed and implemented prior to the issuance of a Notice to Proceed, provide for review by interested parties of draft documents resulting from implementation of the Historic Property Treatment Plan, provide for the management of unanticipated discoveries of cultural resources, address treatment of Native American human remains, and include reporting requirements. In addition, the MOA provides a phased approach to the identification and evaluation where access to private land to conduct archaeological surveys has not been granted. NRHP eligibility evaluations and treatment of historic properties would be carried out before Project construction. Once the MOA is signed, which will be before the ROD for this EIS is signed, compliance with Section 106 of the NHPA will be considered complete (Kalish 2012). A draft MOA is included as Appendix O.

ES.4 PUBLIC PARTICIPATION

On October 3 and 6, 2011, prior to publication of the Draft EIS, scoping activities were conducted by the BLM in compliance with the requirements of NEPA for the DHSP. Additional public information hearings were held on May 14, 2012 to solicit feedback on the Draft EIS. The BLM's scoping activities are described in detail in the Public Scoping Report, which is provided in Appendix B here. The scoping report documents the Notice of Intent, the scoping meetings, workshops, and the comments received during scoping.

ES.5 PURPOSE AND NEED

In accordance with FLPMA (Section 103(c)), public lands are to be managed for multiple uses, and management must consider the long-term needs of future generations for renewable and non-renewable resources. The Secretary of the Interior is authorized to grant ROWs on public lands for systems of generation, transmission, and distribution of energy (Section 501(a)(4)). Given the BLM's multiple use mandate, the purpose and need for the Proposed Action is to respond to a FLPMA ROW application submitted by the Applicant to construct, operate, maintain, and decommission a solar energy-generating facility and associated infrastructure on BLM lands in compliance with FLPMA, BLM ROW regulations, and other applicable Federal laws and policies, including:

- Executive Order 13212, dated May 18, 2001. Mandates that agencies act expediently and in a manner consistent with applicable laws to increase the “production and transmission of energy in a safe and environmentally sound manner.”
- The Energy Policy Act 2005 (EPAct 05). Sets forth the “sense of Congress” that the Secretary of the Interior should seek to have approved non-hydropower renewable energy projects on the public lands with a generation capacity of at least 10,000 MW by 2015.
- Secretarial Order 3285A1, dated March 11, 2009, amended February 22, 2010. “Establishes the development of renewable energy as a priority for the Department of the Interior.”

In connection with its decision on the DHSP, the BLM's action will also include consideration of potential amendments to the CDCA Plan. The CDCA Plan, while recognizing the potential compatibility of energy facilities on public lands, requires that all sites associated with power generation or transmission not identified in the Plan be considered through the land use plan amendment process. This document provides information to the authorized officer to decide: (i)

whether the application area should remain undesignated or be designated as suitable or unsuitable for solar energy development under the CDCA Plan, and (ii) whether a high-voltage transmission line should be allowed outside of a federally designated utility corridor. If the BLM decides to approve the issuance of a ROW grant for the project and associated gen-tie line, the BLM will also amend the CDCA Plan as required.

ES.6 DECISIONS TO BE MADE

As defined by the purpose and need, the BLM is responding to the Applicant's application for a ROW grant to construct, operate, maintain, and decommission the DHSP on public lands. In doing so, the BLM will adopt one of the alternatives described below. Alternatives considered in this Final EIS are based on issues identified by the BLM and on comments received during the public scoping process. The BLM is required to consider a range of alternatives that are considered "reasonable," usually defined as alternatives that are realistic (not speculative), technologically and economically feasible, and responsive to the purpose and need of the project. The EIS also needs to consider a "no action" or "no project" alternative.

This document provides information to the Authorized Officer to make decisions on the following questions:

- Should the application area remain undesignated or be designated as suitable or unsuitable for solar energy development?
- Should the project's high-voltage gen-tie transmission line be allowed outside of a federally designated utility corridor?

If the BLM designates the project site as suitable for solar energy development and decides to allow the high-voltage gen-tie transmission line outside of a federally designated utility corridor, it would also make a decision on the following question:

- Should the proposed ROW grant be issued as applied for, issued for a modified project, or denied?

If the BLM decides to approve the issuance of a ROW grant, the BLM will also amend the CDCA Plan as required.

Similarly, the County of Riverside must respond to the applications submitted by the Applicant. In rendering a decision whether to approve the project and issue the necessary permits to construct and operate the DHSP, the County must determine whether the project is consistent with the policies of the Riverside County General Plan and conforms to applicable regulations and standards set forth in County ordinances. The County must also make findings pursuant to CEQA that the project's impacts on the physical environment have been mitigated to the degree feasible.

Alternatives

Alternatives were evaluated for inclusion in the EIS using appropriate screening criteria pursuant to NEPA and CEQA. The alternatives that respond to the purpose and need for the Proposed Action (see Section ES.2) and are otherwise reasonable (as described in Section 6.6.1 (Reasonable Alternatives) of the BLM NEPA Handbook (H-1790-1)) are fully analyzed in the EIS. As part of the alternatives screening process, 20 alternatives were evaluated, and 12 alternatives,

including the proposed DHSP, were developed in this EIS, as follows (see Chapter 2 for complete descriptions of these alternatives):

- Alternative 1: No Action (No Plan Amendment)
- Alternative 2: No Project Alternative (with Plan Amendment to Find the Site Suitable for Solar Energy Development)
- Alternative 3: No Project Alternative (with Plan Amendment to Find the Site Unsuitable for Solar Energy Development)
- Alternative 4: Proposed Solar Project
- Alternative 5: Solar Project Excluding WHMA
- Alternative 6: Reduced Footprint Solar Project
- Alternative 7: High-Profile Reduced Footprint Solar Project
- Alternative A: No Gen-Tie
- Alternative B: Proposed Gen-Tie Line (Shared Towers)
- Alternative C: Separate Transmission Towers within Same ROW
- Alternative D: Cross-Valley Alignment of Gen-Tie Line
- Alternative E: New Cross-Valley Alignment

Comparison of Alternatives

In order to have a complete project, the Authorized Officer may choose one power plant alternative (Alternatives 1-7) and one gen-tie line alternative (Alternatives A-E). A comparison of alternatives is presented in Section 2.17 of this EIS.

Agency Preferred Alternative

The BLM has selected Alternative 7, High-Profile Reduced Footprint Solar Project, with Alternative B, Proposed Gen-Tie Line (Shared Towers), as the agency-preferred alternative. Alternative 7 with Alternative B is the preferred alternative because it would be able to generate 125 to 135 MW of renewable energy on fewer acres than the Proposed Action, thus reducing impacts resulting from ground disturbance. This alternative would also incorporate the use of shared facilities in an already designated transmission line ROW, minimizing cumulative impacts.

CEQA Environmentally Superior Alternative

CEQA defines the environmentally superior alternative as having an overall environmental advantage compared to the other alternatives based on the impact analysis. As demonstrated in Section 2.17.3, the overall environmentally superior alternative is Alternative 1, No Action Alternative, with Alternative A, No Gen-Tie Alternative. The environmentally superior alternative among the remaining action alternatives is Alternative 6, Reduced Footprint Alternative, with Alternative B, Proposed Gen-Tie Line (Shared Towers). Alternative 6 and Alternative 7 are substantially the same, but Alternative 6 uses shorter panel heights. A complete analysis of how this conclusion was reached is presented in Section 2.17.

ES.7 CONNECTED/CUMULATIVE ACTIONS

Connected actions are defined by the BLM Handbook H-1790-1 as those actions that are “closely related” and “should be discussed” in the same NEPA document (40 CFR 1508.25(a)(1)). There are no connected actions for this EIS.

Cumulative actions are defined by the BLM NEPA Handbook H-1790-1 as proposed actions which potentially have a cumulatively significant impact together with other proposed actions and “should be discussed” in the same NEPA document (40 CFR 1508.25(a)(2)). For this NEPA analysis, existing conditions are the physical environment as of September 2011 (the commencement of environmental analysis), which includes the Desert Sunlight Solar Farm’s solar field under construction but not fully constructed and that project’s gen-tie line approved but not yet constructed. The completed Desert Sunlight Solar Farm and gen-tie are foreseeable actions for the purposes of this analysis and are addressed as cumulative actions. Similarly, there are a large number of renewable energy and other projects proposed in the region that were identified as potentially contributing to cumulative environmental impacts. These cumulative projects are identified and discussed in detail in Section 4.1 of this EIS.

ES.8 ENVIRONMENTAL CONSEQUENCES

Unavoidable Adverse Effects

- **Air Quality.** Air pollutant emissions during construction would likely result in temporary and unavoidable adverse PM₁₀, VOC, CO, and NO_x impacts.
- **Vegetation Resources.** Temporary disturbance and permanent loss of vegetation and habitat, jurisdictional streambeds, sensitive communities, and special status plant species would occur on site due to the construction of the project. Dust and erosion related to construction would impact off-site plant species.
- **Wildlife Resources.** Temporary disturbance and permanent loss of wildlife habitat on site, displacement of wildlife off site, regional habitat fragmentation, and disturbances by dust, light, and noise of off-site habitat would result from project construction and operation. Operation and maintenance would further impact birds on site. The project would contribute to loss of special status species in the NECO planning area.
- **Cultural Resources.** Direct and indirect impacts including adverse change to significance of historic properties.
- **Lands and Realty.** The project would contribute to large scale of land use conversion (over 52,000 acres or 2.5 percent of the land along the I-10 corridor).
- **Noise.** The project would result in a substantial increase in traffic noise levels during construction and decommissioning along Kaiser Road north of Lake Tamarisk Road.
- **Recreation.** The project would be visible from wilderness areas in the Coxcomb Mountains during construction, operation, and decommissioning.
- **Visual Resources.** The project would create impacts from the conversion of a natural desert landscape to a landscape dominated by industrial character. Long-term land scarring would follow project decommissioning. The project would have strong visual contrast with the surrounding landscape and would be visible from proximate wilderness areas and scenic vistas.

The project, if approved, would conflict with several Riverside County General Plan policies designed to protect visual resources.

CEQA Significant Impacts and Mitigation Measures

In compliance with Section 15123(b)(1) of the CEQA Guidelines, this section summarizes the proposed project's significant impacts and mitigation measures.

Table ES-1. CEQA Significant Impacts and Mitigation

Impact Area	Significance Criterion	Significant Unavoidable Impact	Description
Air Resources	AR-2 and AR-3	Construction emissions	Construction of the project would generate emissions of particulate matter (PM2.5 and PM10), VOC, CO, and NOx. Mitigation Measures AIR-1 through AIR-4 would limit these emissions to the extent possible, but residual impacts from PM10, PM2.5, VOC, CO, and NOx would persist after mitigation. Significant, unavoidable impacts would be temporary; these impacts would be limited to the duration of construction activities.
Biology – Vegetation	VEG-1	Cumulative impacts to sensitive natural communities	Even with implementation of Mitigation Measures VEG-1 through VEG-10, the project would represent a considerable contribution to the cumulatively significant regional impacts to sensitive natural communities.
Biology – Vegetation	VEG-2	Cumulative impacts to jurisdictional streambeds	Even with implementation of Mitigation Measures VEG-1 through VEG-10, the project would represent a considerable contribution to the cumulatively significant regional impacts to state-jurisdictional streambeds.
Biology – Wildlife	WIL-1	Cumulative impacts to special-status species	Even with implementation of mitigation, the residual impacts of the project would represent a considerable contribution to cumulatively significant habitat loss for special-status wildlife species in the NECO planning area.
Biology – Wildlife	WIL-2	Cumulative impacts to wildlife movement	Even with implementation of mitigation, the residual impacts of the project would contribute to a cumulatively considerable reduction of wildlife movement and connectivity in the upper Chuckwalla Valley.
Cultural Resources	CR-1 and CR-2	Adverse change to historic and archaeological resources	The project would result in direct and indirect impacts during construction, operation, and decommissioning to cultural resources, including adverse change to the significance of historic and archaeological resources. Mitigation Measures MM CUL-1 through MM CUL-11 would reduce impacts by developing and implementing a Memorandum of Agreement and Historic Properties Treatment Plan, requiring monitoring and training for all construction personnel, treating/curating inadvertent discoveries, avoiding known resources, and implementing a radio informational program. However, impacts of the gen-tie line to the setting of the North Chuckwalla Petroglyph District (CA-RIV-1383, NRHP-listed), and the Coco-Maricopa trail segments (CA-RIV-0053T, determined eligible) are significant and unavoidable under CEQA.
Noise and Vibration	NZ-4	Increase in noise levels along Kaiser Road	The project would result in a substantial increase in traffic noise levels during construction and decommissioning along Kaiser Road north of Lake Tamarisk Road. Mitigation Measure NOI-1 would limit construction activities to daylight hours; however, there would still be a significant unavoidable impact from project construction.
Visual Resources	V-1	Scenic vistas	Project would be prominently visible from elevated vantage points in the area, and the introduction of industrial character and structural visual contrast would result in significant unavoidable impacts to these scenic vistas.

Table ES-1. CEQA Significant Impacts and Mitigation

Impact Area	Significance Criterion	Significant Unavoidable Impact	Description
Visual Resources	V-3	Degrade visual character of the landscape	Project would introduce a prominent built facility with considerable industrial character into an existing landscape presently absent such features, causing a substantial degradation of the existing visual character or quality of the site and its surrounding landscape when viewed from the elevated viewpoints in the wilderness areas.
Visual Resources	V-6	Inconsistency with local policies	The moderate to high degree of visual change that would be caused by the proposed solar farm would not be consistent with the following Riverside County General Plan policies: LU 4.1, LU 13.1, LU 13.3, LU 13.5, LU 13.8, LU 20.1, LU 20.2, LU 20.4, DCAP 2.3, DCAP 9.1, and DCAP 10.1.
Visual Resources	V-7	Cumulative visual alteration	The presence of the project would substantially contribute to cumulative visual alteration. There are no mitigation measures available to reduce this impact.

Areas of Controversy

Pursuant to 40 CFR 1502.12 and Section 15123(b)(2) of the CEQA Guidelines, this section summarizes the areas of known controversy surrounding the proposed project. Based on input received from agencies, organizations, Native Americans and Tribal Governments, and members of the general public during scoping EIS, several areas of controversy related to the DHSP emerged, including:

- Opposition to the placement of a large solar project on largely undisturbed desert land
- Concern for conflict with designated recreational and wilderness uses in the project area, including in Joshua Tree National Park
- Concern regarding the impacts of the project on biological and cultural resources
- Concern regarding groundwater use
- Concern regarding the range of alternatives considered
- Concern regarding the purpose of and need for the project

Extensive comments were received during the scoping process for the DHSP. The scoping process and public input received are provided in detail in Appendix B, Public Scoping Report. Additional public comments were received during the Draft EIS public review period. Public comments are reproduced in full in Appendix M, and responses to all comments are provided in Appendix N.

Issues to be Resolved

Pursuant to 40 CFR 1502.12 and Section 15123(b)(3) of the CEQA Guidelines, this section summarizes the major issues to be resolved in the Final EIS and the Record of Decision.

The choice among alternatives is a major issue to be resolved. BLM has the ultimate authority to approve or deny any of the solar facility and gen-tie alternatives; however, the County of Riverside has the authority to select a gen-tie alternative, and the County must adopt a Statement of Overriding Considerations pursuant to CEQA Section 15093 for any alternative that is

approved that would have significant unavoidable impacts. The two Lead Agencies must approve the same gen-tie alternative in order for the Applicant to construct any portion of the project.

Access to private land was an obstacle to performing cultural and paleontological surveys on all gen-tie alternatives. In addition, at the time of publication of the Draft EIS, field assessments were ongoing. The results of those additional surveys have been incorporated into this Final EIS and 96 percent of the cultural resources area of potential effect has been surveyed; however, it should be noted that certain private parcels remained inaccessible and have not been fully surveyed for this Final EIS, which is an allowable reason to forego completion of surveys under both NEPA and CEQA. The public is being provided an opportunity to review and comment on the additional survey information under the 30 day public review period afforded under NEPA.

Finally, the Lead Agencies must decide whether to adopt a mitigation measure for groundwater resources that would protect the Chuckwalla Valley Groundwater Basin from overdraft conditions attributed to the DHSP. Such a measure would also contribute to unavoidable adverse air quality effects and adverse effects on noise and traffic.